

REMARKS

Claims 1-6 and 8-29 are pending in the application. In this amendment, claims 1 and 4 have been amended. No new matter has been added. Applicant respectfully requests reconsideration of the claims in view of the following remarks.

DRAWINGS

Applicant files the replacement sheets of Figures 1 and 2. Figures 1 and 2 in the replacement sheets have been designated by "Prior Art" in accordance with the Examiner's request. Accordingly, the objections to the drawings have been fully addressed.

PRIOR ART REJECTIONS

Claims 1-6 and 8-29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over 3GPP "3rd Generation Partnership project; Technical Specification Group Service and System Aspects; 3GPP system to Wireless Local Area Network (WLAN) internetworking; System Description (Release 6)" Draft 3GPP TS 23.234 V1.10.0; May 2003 (2003-05), hereinafter referred to as "3GPP Specification," in view of U.S. Patent No. 7,184,768 to Hind et al. (hereinafter "Hind"). Applicants respectfully traverse the rejection.

New independent claim 1 recites in pertinent part:

A method for a Wireless Local Area Network (WLAN) user equipment (UE) for selecting a mobile communication network to access in a WLAN interworking network, wherein comprising the steps of:

initiating an authentication procedure *after* the connection between a WLAN UE and a WLAN Access Network (AN) is established;

* * * *

on receiving said User Identity Request message, *deciding network selection information for connection from the WLAN AN to a home network of the UE to be carried based on the information of the WLAN covering the WLAN UE and the WLAN information stored in the WLAN UE*, and returning a message carrying said network selection information to said WLAN AN....(emphasis added)

In rejecting claim 1, the Examiner asserted that 3GPP discloses the feature that "on receiving USID request message, deciding network selection information to be carried based on the information of the the WLAN covering the WLAN UE and the

WLAN information stored in the WLAN UE, and returning to WLAN AN...” and cited a number of portions of 3GPP to support the rejection.

Applicant has reviewed the cited portions. The cited portion of page 34 refers to the procedure of “7.2 Subscriber Profile Update”. The cited portion of page 33 refers to the procedure of “7.1 Authentication and Authorisation”. The cited portion of page 38 refers to the procedure of “7.7 Charging online charged subscribers”. Figure 7.1 of the 3GPP Specification (p. 33) shows the procedure for “Authentication and Authorisation ” of user equipment (“UE”) with respect to a WLAN. Step 2 provides “necessary amount of EAP request & EAP response message exchanges between UE and 3GPP AAA Server as specified in the utilised EAP type”. When EAP request & EAP response messages are exchanged, the cited 3GPP Specification does not address any aspect of “network selection information for connection from the WLAN AN to a home network of the UE_i” as recited in claim 1.

Instead, the cited portion of the 3GPP Specification discusses parameters of “the authorization information” and “the keying material”. In instances where the EAP authentication has succeeded (Step 6 of 3GPP Specification Figure 7.1), a Diameter Access Accept message is sent from the AAA Server to the WLAN. (3GPP Specification, p. 34). The comment concerning this Diameter Access Accept message provides further that “[i]n this message 3GPP AAA Server includes EAP Success message, keying material derived from the EAP authentication as well as connection authorisation information (e.g. NAS Filter Rule or Tunnelling attributes) to the WLAN”. None of the foregoing aspects of the 3GPP specification equate to “network selection information for connection from the WLAN AN to a home network of the UE” as recited in claim 1. Moreover, “NAS Filter Rules” and “Tunnelling attributes” are quite different from “the information of the WLAN covering the WLAN UE and the WLAN information stored in the WLAN UE” as recited in claim 1. In view of the foregoing deficiencies, it is clear that the 3GPP Specification cannot properly support a rejection of the method recited in claim 1.

In an effort to address some of the foregoing deficiencies of the 3GPP Specification, the Examiner proposed the combination of the 3GPP Specification with Hind.

Hind provides methods and apparatus for selecting a cellular network. In situations where more than one network is available to a mobile user, Hind provides a method for prioritizing the available networks in accordance with prescribed criteria in order that the mobile may register with the most appropriate network. In this regard, it is important to note that the network selection process described in Hind occurs *prior to* network registration. In contrast, the method recited in claim 1 of the subject application recites a network selection process that occurs *after* a connection has been established between a WLAN UE and a WLAN Access Network (AN). As Hind is concerned with network *pre*-registration activities as opposed to post-connectivity issues, the reference is not relevant to the presently-presented claims, and the rejection premised upon the combination of the 3GPP Specification and Hind cannot properly stand.

Applicant respectfully submits that claim 1 patentably distinguishes over any combination of 3GPP and Hind for at least the reasons discussed above. Since claims 2-6 and 8-29 depend from independent claim 1, they include all of the limitations of the independent claim. Therefore, Applicant respectfully submits that dependent claims 2-6 and 8-29 also patentably distinguish from any combination of 3GPP and Hind for at least the reasons discussed above. Consequently, the Applicant requests that the Examiner withdraw the rejections.

[Remainder of page intentionally blank]

CONCLUSION

In view of the above amendment, applicants believe the pending application is in condition for allowance. It is believed that all of the stated grounds of rejections have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

The Commissioner is hereby authorized to charge any unpaid fees deemed required in connection with this submission, including any additional filing or application processing fees required under 37 C.F.R. §1.16 or 1.17, or to credit any overpayment, to Deposit Account No. 504983.

Respectfully submitted,

Dated: March 29, 2010

By: 

Paul C. Hashim
Registration No.: 31,618
Futurewei Technologies, Inc.
Tel: (972) 543-5840
Email: phashim@huawei.com